

FILED

NOV 19 2018

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEBORAH DIANE FLETCHER,

Plaintiff,

v.

U.S. POST OFFICE,

Defendant.

Civil Action No. 1:18-cv-02161 (UNA)

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint ("Compl."), which is accompanied by an application to proceed *in forma pauperis*. The Court will grant the application and will dismiss the case for lack of subject matter jurisdiction.

Plaintiff sues the United States Postal Service ("USPS"). She alleges that she shipped boxes through USPS that were never delivered. Compl. at 1. She requests \$3 million in damages. *Id.* at 2. The exclusive avenue for a plaintiff to pursue a tort claim against a federal agency, such as the one plaintiff asserts, is through the Federal Tort Claims Act. *See* 28 U.S.C. §§ 1346(b), 2671–80. However, the Court lacks subject matter jurisdiction over plaintiff's claim because the Federal Tort Claims Act specifically prohibits "any claim arising out of loss, miscarriage, or negligent transmission of letters or postal matter." 28 U.S.C. § 2680(b).

Therefore, the Court will grant plaintiff's application to proceed *in forma pauperis* and will dismiss the complaint. An Order consistent with this Memorandum Opinion is issued separately.

Date: November 15, 2018


United States District Judge